Statement of Representative Anna G. Eshoo
Subcommittee on Communications and Technology
House Committee on Energy and Commerce
"Health Information Technologies: Harnessing Wireless Innovation"
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Mr. Chairman, today's hearing provides an opportunity to examine the exciting intersection between mobile technology and healthcare. Representing Silicon Valley and serving as Co-Chair of the House Medical Technology Caucus, I see first-hand the impact that the next generation of mobile health applications and devices are having on healthcare accessibility and improvements to care.

In July 2011, the FDA announced it was seeking input with respect to how the agency should approach oversight of certain mobile medical apps used on smartphones, tablets and other mobile devices. In the nearly two years since the FDA sought comment, there have been over 700 pages of comments, the vast majority of which support the FDA's draft guidance. The FDA also conducted a two-day workshop on mobile medical apps which provided feedback from a variety of stakeholders, including manufacturers, healthcare providers and app developers. Unfortunately, in a hearing intended to examine how "FDA regulations and taxes could impact innovation in mobile applications and services," we don't have the FDA here to tell their story.

Also absent from this discussion is the importance of unlicensed spectrum to hospitals and other healthcare professionals around the country. For example, in Logan, Ohio, through the power of unlicensed spectrum below 1 gigahertz, the Hocking Valley Community Hospital has a robust broadband solution that is improving the efficiency and quality of care throughout the hospital. Elsewhere in the country, unlicensed spectrum is supporting nurse call systems, mobile duress pendants, as well as fluid pump, respirator and other medical equipment alarm telemetry.

I understand the desire of innovators to have a predictable regulatory process for the apps they're developing. But mobile medical applications are an emerging and exciting new field of technology and we're still trying to get a handle on what the landscape looks like. As technology advances, the clear lines of what's considered a medical device are becoming blurred. We have to be careful not to lock ourselves into a misguided pathway without a more complete picture of what these new technologies are capable of. The FDA's primary goal is to ensure patient safety and I believe they are working diligently on final guidance for regulation of mobile health applications.

Despite the FDA's absence from today's hearing, I look forward to hearing from our witnesses and their enthusiasm for this emerging field of innovation that could one day transform our healthcare system. I share this enthusiasm and hope to see patients and the industry flourish.